

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Andre Dannell Downey

Docket No. 5:09-CR-260-1BO

Petition for Action on Supervised Release

COMES NOW Bentley H. Massey, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Andre Dannell Downey, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute 50 Grams or More of Cocaine Base (Crack) and 500 Grams or More of Cocaine, 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 25, 2010, to the custody of the Bureau of Prisons for a term of 100 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months under the standard conditions adopted by the court. On March 12, 2014, per Rule 35, the defendant's imprisonment was reduced to 70 months.

Andre Dannell Downey was released from custody on January 2, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 2, 2015, the defendant submitted a drug screen that returned positive for marijuana use. The probation officer believes the interest of justice would best be served by continuing supervision and modifying his conditions to include drug treatment and urinalysis testing. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Bentley H. Massey

Bentley H. Massey
Senior U.S. Probation Officer
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Executed On: March 18, 2015

ORDER OF THE COURT

Considered and ordered this 18 day of March, 2015 and ordered, filed, and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge